



***PAN-EUROPEAN BIOLOGICAL AND LANDSCAPE
DIVERSITY STRATEGY***

Geneva and Strasbourg, 4 September 2009

STRACO (2009) 03

**COUNCIL FOR THE PAN-EUROPEAN
BIOLOGICAL AND LANDSCAPE DIVERSITY STRATEGY**

**FUTURE OF THE INTERGOVERNMENTAL
PAN-EUROPEAN COOPERATION ON
BIODIVERSITY**

12th meeting
22 and 24 September 2009
Liège, Belgium

*Document prepared by
the Chair of the PEBLDS*

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Introduction

The Pan-European Biological and Landscape Diversity Strategy (PEBLDS) was endorsed by Ministers of Environment from 49 countries of the UNECE region at the third Ministerial Conference "Environment for Europe" held in Sofia in October 1995. The PEBLDS is a European response to support the implementation of the Convention on Biological Diversity. The Strategy was proposed in the Maastricht Declaration (1993), and builds on the Bern Convention, the European Conservation Strategy (1990), the Dobris and Lucerne Ministerial Conferences (1991, 1993), the UNCED Earth Summit (1992), and other existing initiatives and programmes. The Strategy aims to strengthen the application of the Bern Convention in relation to the Convention on Biological Diversity (CBD), following the Monaco Declaration. The drafting group for the Strategy was led by the European Centre for Nature Conservation (ECNC) under the auspices of the Council of Europe (CoE).

The Strategy introduces a coordinating and unifying framework for strengthening and building on existing initiatives. It does not aim to introduce new legislation or programmes, but to fill gaps where initiatives are not implemented to their full potential or fail to achieve desired objectives. It provides the opportunity to take more effective measures by facilitating the development of a common approach to the conservation of Europe's biodiversity and by helping to promote coordinated action.

The Joint Secretariat of the Pan-European Strategy carries out the daily operations and is composed of the Council of Europe and UNEP through its Regional Office for Europe (ROE).

Background

At the 10th Meeting of the PEBLDS Council (Plitvice Lakes, Croatia, 22 February 2006) the Chair of the PEBLDS introduced STRA CO (2006) 3 (her letter to the PEBLDS Council dated 31 January 2006) which presented a proposal for simplifying and re-aligning the infrastructure of the PEBLDS process given the decreasing support for the Kyiv Action Plans and the PEBLDS work in general. This included streamlining the PEBLDS and integrating the Council meetings into the Biodiversity in Europe Conference process to review and assess the implementation of the Kyiv Resolution on Biodiversity and to prepare for the Meetings of the Conference of the Parties to the CBD and the *Environment for Europe* Ministerial Conferences.

The recognised added value of PEBLDS is that it is a broad, truly European platform for governmental as well as for civil society representatives and for the European Commission. PEBLDS is the instrument to set up and follow a European-wide agenda for biodiversity conservation, which should mirror the CBD COP decisions. While the EU has its own coordination mechanism, the non-EU countries have to rely on PEBLDS.

What PEBLDS has achieved on the one hand is the catalytic effect on national policy development – like the effect on the Kyiv Resolution - and initiating pilot, cooperation projects on the other. For the future a new financial mechanism should be in place – similar to the Biodiversity Service – in order to leverage national and international funding for biodiversity. Along this line – and this would be a new aspect – PEBLDS (secretariat) should take up the role of stimulating donor coordination – which is particularly crucial in the time of economic crisis and diminishing funding.

The present meeting of the PEBLDS Council within the 5th Intergovernmental Conference *Biodiversity in Europe* could be a very decisive one. With the power embedded in the Council, it should discuss the future of the pan-European cooperation on biodiversity and take a decision. This decision is particularly crucial as PEBLDS should prepare the European perspective for the implementation of the new CBD Strategic Plan.

I have prepared this proposal with options for the future of the Pan-European process for biodiversity, to be discussed and concluded upon by the Council of the Pan-European Biological and Landscape Diversity Strategy, which will meet during the Fifth Intergovernmental Conference *Biodiversity in*

Europe. In my view as PEBLDS Chair the following are options for activities to be implemented by PEBLDS and for the institutional set-up:

Programmatic Options

A) Continue with the current PEBLDS work program in the present institutional setting

Pro: There is no significant change, the name “PEBLDS” will be further used and will create the usual – currently rather small – leverage on international cooperation within the current work program. It will further provide the mechanism for countries in the Pan-European region (both outside and inside the European Union) to cooperate in an established institutional setting towards the better implementation of CBD.

Con: There are very limited and possibly further decreasing resources for the current PEBLDS activities, which might lead to the eventual ceasing of activities. The present institutional structure is rather complicated, expensive to maintain and not effective in raising the profile of the PEBLDS. PEBLDS might be reduced to a platform of a number of cooperating countries with no major political support from the EU and many other countries.

B) Developing a “new” strategic framework for intergovernmental Pan-European cooperation

Pro: PEBLDS is 14 years “old” and during these years it has accomplished a lot. It is now the time to transform PEBLDS into something new, which reflects the changing environment and the current emerging issues, such as climate change, the new – to be endorsed – Strategic Plan of CBD, the new post-2010 target and last but not least the enlarged European Union. The new Strategic framework should provide a platform for discussion, cooperation and implementation and should also be able to provide meaningful tools (know-how and policy) and financial means for national and (more importantly) international, joint activities concerning biodiversity in the pan-European setting. PEBLDS should be the regional instrument for following up CBD decisions and activities. It should disseminate CBD decisions at the pan-European level and help organise CBD preparatory-meetings which are already in the CBD budget. It is equally important that the successor to PEBLDS will have closer links with the EU (Commission, Parliament and Council) in order to re-align the work done under PEBLDS with the work (and targets) of the EU. A continuous dialogue set up between the Secretariat and the EU would promote synergies between them, and better engage the EU institutions in the implementation of PEBLDS objectives. The synergy and cooperation would be optimized if the PEBLDS Secretariat is located in close proximity of the EU institutions.

The EU would use this “new PEBLDS” to promote EU initiatives in the region by capitalising on its multiplier effects, and also to secure regional support within the global debate on biodiversity-related issues.

This platform could also allow the EU to improve coherence in its cooperation policy with pan-European countries and to streamline current ad hoc support provided on biodiversity-related issues (e.g. SEBI2010, IPBES consultation, MA follow-up capacity-building workshops, regional consultation on various issues) and also reinforce synergies with bilateral cooperation. These all would reinforce the role of the region in the implementation of biodiversity-related multilateral environmental agreements (MEAs).

It is crucial for the future of the PEBLDS to work very closely with the European Environmental Agency (EEA). While linked to the EU this institution is working across Europe, and would be a future strategic partner for PEBLDS by providing solid scientific support to its work.

To conclude: the “new PEBLDS” will have closer – institutional and policy links with the European Union (Commission and Parliament), will actively engage with the European Environmental Agency and it will be a platform which helps the exchange of good practices with regards to the implementation of CBD decisions. The “new” PEBLDS should build the bridge between the EU (and

its member States) and the non-EU countries. The PEBLDS Secretariat could assist the donor community to streamline and perhaps coordinate their funding policy which is to support activities for the implementation of the CBD decisions and eventually set up a dedicated fund, like the Biodiversity Action Fund.

Con: PEBLDS has lost much of its momentum and without the (pro) active engagement of countries it is not possible to develop a new Strategic framework for Pan-European cooperation. The transformation process could be lengthy, and without strong institutional backing and guidance it could grind to a halt. With all the numerous policy processes going on in Europe and around the world, countries are getting tired of participating in those that have no clear targets and timelines. In order for the reshaping exercise to be a success, it is imperative that a new niche is found for pan-European biodiversity cooperation without creating a parallel process.

Institutional options

A) Business as usual

The current institutional setting (Council, Bureau, Friends of the Chair and the Joint Secretariat serviced by UNEP through its Regional Office for Europe and the Council of Europe) used to ensure political weight, but has lost its efficacy. This is emphasized by the announcement of the Council of Europe that they will withdraw their financial support for the activities of the Joint Secretariat. Furthermore, UNEP is not in a situation to provide the necessary capacities for the Joint Secretariat unless there is significant financial support from European Governments. Therefore, considering that there is no change in the current financial situation and that no increased support (material and political) is coming forward from members, the Joint Secretariat might need to stop or seriously downscale its activities. This could further lead to no delivery, which would eventually make PEBLDS as such redundant.

B) UNEP providing the Secretariat through its Regional Office for Europe in Geneva in close cooperation with its office in Brussels

One option would be to restructure the Joint Secretariat by a decision of the Council to have the secretariat hosted exclusively by UNEP through its Regional Office for Europe in Geneva in close cooperation and coordination with its Brussels Office. UNEP has sufficient convening power for maintaining the statutory and working meetings and it is the intergovernmental body having the mandate to work in the whole region, covering both EU and non-EU countries. UNEP could also provide the institutional link between PEBLDS and the other Multilateral Environmental Agreements – particularly CBD. Furthermore, this option would ensure continuity and conservation of the existing experience and knowledge while at the same time improving visibility of the PEBLDS. Being based in Brussels, the interaction with the EU institutions (European Commission, Council, Parliament and Committee of the Regions) will be facilitated through the UNEP Office in Brussels as well as with the key NGOs lobbying the EU. This would ensure more stable political and financial support due to higher visibility and closer interactions.

C) Governments providing the Secretariat

Given the explanation above and the financial constraints, a Government (i.e., Ministry of Environment) could also provide/host the Secretariat. This could perhaps be organized with several governments on a rotation basis. However, this option would lead to the disruption of the current institutional setup as knowledge and information might be lost during transition periods. Furthermore, from a governance point of view the legitimacy to mandate a government for running the secretariat for such an international process is questionable. Although countries with a developed economy have better means to host the Secretariat, and are therefore the more likely candidates, there is a definite possibility that they have difficulties identifying with the problems of countries with economies in transition in dealing with the day-to-day work of tackling national and international environmental issues. Moreover, the convening power of individual countries would be lower than of UNEP.

D) An established international NGO providing the Secretariat

A scenario in which the Secretariat is provided by an established NGO is a fourth possibility. An international NGO having the support of government(s), using its own resources and eventual (project) proposals could have the financial means of running the Secretariat. The international nature of the NGO and the NGO status would ensure that the Secretariat is not biased by any particular governmental interest. The work of the Secretariat could be stable for a long time, being independent of regular [governmental] elections but more vulnerable to financial fluctuations according to donor preferences. Moreover, this arrangement has the potential risk that the NGO will pursue its own agenda and governments could easily perceive that the PEBLDS is an NGO initiative instead of a governmental one. Also, the convening power of an NGO could not be compared with an intergovernmental institution like UNEP or with governments.

Conclusions

Considering the above options and after some informal consultations, my proposal as the Chair of PEBLDS is the following:

- Establish a restructuring process of PEBLDS in order to transform it into a new instrument which is designed to respond to the new challenges
- The Secretariat should be further serviced by UNEP through its Regional Office for Europe in Geneva in close cooperation with its office in Brussels, which should be responsible for the day-to-day discussions with the EU and stakeholder groups and render eventual administrative and policy support for the Secretariat in Geneva.
- This arrangement would hopefully provide a closer liaison with the EU institutions and hopefully ensure better cooperation, more political support and more stable funding.
- Establish a process to explore the feasibility of transforming PEBLDS into a new instrument, taking into account the outcomes of CBD-COP10, and to request the Bureau to prepare a recommendation for the next Ministerial Conference *Environment for Europe* to continue or discontinue the PEBLDS as an instrument for pan-European biodiversity cooperation

It must be stated, however, that it is crucial to get ownership for such a platform and thus there should be a clear demand from pan-European countries for the work to create and maintain the new kind of PEBLDS. Donor countries have supported the PEBLDS Joint Secretariat and various activities in the past and are ready to do so in the future – but only if a clearly articulated demand is there underscoring the added value of PEBLDS in the pan-European setting.

Council Decision on the future of PEBLDS proposed by the Chair

The Council at its 12th session may wish to consider the following draft decision regarding the future of PEBLDS:

- 1 On institutional setting** the Council decides that the PEBLDS Secretariat will be based and managed by UNEP through its Regional Office for Europe.
- 2 On the process:**
 - a. The PEBLDS Bureau will set up a process in place to prepare an options paper on the future of the PEBLDS based on the document presented by the Chair and the discussion at the 12th Meeting of the PEBLDS Council
 - b. Between Bureau Meetings, the Friends of the Chairs are mandated to prepare the options paper with the assistance of the Secretariat
 - c. The next PEBLDS Bureau meeting should take place in early 2010 for reviewing the options paper
 - d. The Secretariat will make a proposal for a small budget to be used for facilitating the Friends of the Chairs meetings and eventual hiring of expertise for the approval of the Chair

3 On reporting and timelines

- a. The documents prepared by the Friends of the Chair meetings are transmitted to the Bureau for information
- b. The Bureau will review and adopt the final options paper on its next meeting in early 2010
- c. The Bureau at its next meeting will give the mandate to the Secretariat to operationalize the decisions on the option paper under the guidance of the Chair
- d. The decision will be on an interim basis in order to assess their functionalities
- e. The Chair will monitor the effectiveness of the restructuring and report to the Bureau on implementation at the meeting of the Bureau in the second half of 2010
- f. At this meeting the Bureau will prepare a decision for the consideration by the *Environment for Europe* Ministerial Conference in 2011

4 Commitments

- a. Donor countries are encouraged to provide financial contributions to the process
- b. Recipient countries are encouraged to provide financial contributions to the process or to provide in-kind contributions by making staff available for providing input to the process and to the documents

5 Participation

The Council invites the Members of the Bureau to participate in the process as well as the NGOs with observer status.